



Board of Adjustment Case Report

City of Raleigh
Department of City Planning
One Exchange Plaza
Raleigh, NC 27601
(919) 996-2682
www.raleighnc.gov

Case File: A-7-18

Property Address: 911 N. West Street

Property Owner: Atlas Stark Holdings

Project Contact: Michael Birch

Nature of Case: A request for complete relief in the amount of required off-street parking called for in Section 7.1.2.C. of the Unified Development Ordinance which equates to a 44 parking space reduction, as well as a 1,000' variance to the maximum distance allowed for remote parking as set forth in Section 7.1.5.B. of the Unified Development Ordinance, as well as a variance to allow for remote parking on property not located in the same contiguous zoning district as set forth in Section 6.4.7.C. of the Unified Development Ordinance, in order to permit a change of use of an existing building to 5,814 SF of retail uses and 11,775 SF of office uses that results in zero off-street parking spaces on-site and remote parking that is located 1,660 feet from the .3 acre site zoned Industrial Mixed-Use-3 and located at 911 N. West Street.



911 N. West Street – Location Map

To BOA: 1-8-18

Staff Coordinator: Eric S. Hodge, AICP

**ZONING
DISTRICTS:** Industrial Mixed-Use-3



911 N. West Street – Zoning Map

VARIANCE STANDARDS: In accordance with UDO [§10.2.10 Variance](#), before a variance request is granted, the Board of Adjustment shall show all of the following:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

Section 7.1.2 Required Parking

Office: 1 space per 400 SF of gross floor area

Retail: 1 space per 300 SF of gross floor area plus 1 space for every 600 square feet of outdoor display area

Section 7.1.5.

B. Remote Parking 1. Required parking spaces may be permitted on a separate site from the site on which the principal use is located if the remote parking complies with the following.

District/Frontage	Parking Lot must be within
DX-	2,640 feet
Urban Frontage	1,320 feet
-TOD	1,320 feet
RX-, OP-, OX-, NX-, CX-, IX-	660 feet
IH, CMP	660 feet
CP, AP, R-MP	Not allowed
R-1, R-2, R-4, R-6, R-10	By special use permit

Application for Variance



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

Submit application to: Development Services Customer Service Center, 1 Exchange Plaza, Suite 400, Raleigh, NC 27601

NATURE OF REQUEST	OFFICE USE ONLY
Nature of variance request (if more space is needed, submit addendum on separate sheet): See attached Exhibit A.	Transaction Number A-7-18
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences. If this property was the subject of a previous variance request, provide the case number.	

GENERAL INFORMATION					
Property Address	911 N. West St Raleigh, NC 27603	Date	11.29.2017		
Property PIN	1704534156	Current Zoning	IX-3		
Nearest Intersection	N. West St. and W. Peace St	Property size (in acres)			
Property Owner	Atlas Stark Holdings	Phone	919-656-4937	Fax	
Owner's Mailing Address	PO BOX 6309	Email	GGUILLOIS@ATLASSTARK.COM		
Project Contact Person	Jennifer Wagner	Phone	919-866-4829	Fax	
Contact Person's Mailing Address	421 Fayetteville St. Raleigh, NC 27601	Email	jwagner@stewartinc.com		
Property Owner Signature	<i>Dan Deitz</i>	Email	GGUILLOIS@ATLASSTARK.COM		
Notary	Notary Signature and Seal <i>Terry H. Naegelen</i>				
Sworn and subscribed before me this <u>8</u> day of <u>December</u> , 20 <u>17</u>					

Exhibit A

Nature of Variance Request:

1. Property owner requests a complete variance to the amount of parking spaces required by UDO section 7.1.2.C. "Parking Requirements by Use" for the proposed development on 911 N. West Street. The property owner is requesting a reduction in required parking of 44 spaces, from 44 spaces to 0 spaces.
2. Property owner requests a variance to UDO section 7.1.5.B. in order to (i) permit remote parking spaces to be located in excess of 660 feet from the property, and (ii) provide remote parking that does not comply with the standards of UDO section 6.4.7.C. The property owner requests a variance of 1,000 feet, to permit remote parking spaces to be located within 1,660 feet as calculated in accordance with UDO section 7.1.5.B.2.

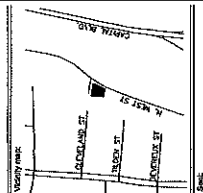
Justification Statement:

1. Unnecessary hardship would result from the strict application of the ordinance, which would require the provision of 44 parking spaces on-site and the provision of remote parking spaces within 660 feet. The required parking spaces cannot be located on the property because of the existing building, which is essentially constructed to the property lines, leaving no space on the property for parking area. Additionally, there are an insufficient number of remote parking spaces located within 660 feet of the property. Without a variance, the use of the property could not change from the current warehouse/industrial use to an office and retail use.
2. The hardship results from conditions that are peculiar to the property. Specifically, the hardship results from the fact that the existing building is constructed to the property lines, leaving no space for off-street parking spaces. Also, there are insufficient parking spaces available within 660 feet to meet the off-street parking requirement. These hardships are not a result of conditions common to the neighborhood, as some properties along N. West Street have space for off-street parking and are located within 660 feet to areas for remote parking.
3. The hardship does not result from actions taken by the property owner because the existing building was constructed prior to the current owner's purchase of the property.
4. The requested variances are consistent with the spirit, purpose and intent of the ordinance because the variances will facilitate reuse of an existing building for more active uses that are complimentary to the future park across N. West Street. Additionally, the variances provide sufficient off-street parking spaces within walking distance to the property.

ATLAS STARK HOLDINGS
PO BOX 6090
RALEIGH, NC 27638
T: 919.858.4037

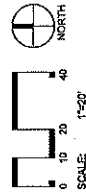
Projects

911 N. WEST ST



PRELIMINARY - DO NOT
USE FOR CONSTRUCTION

SITE PLAN

[illegible]

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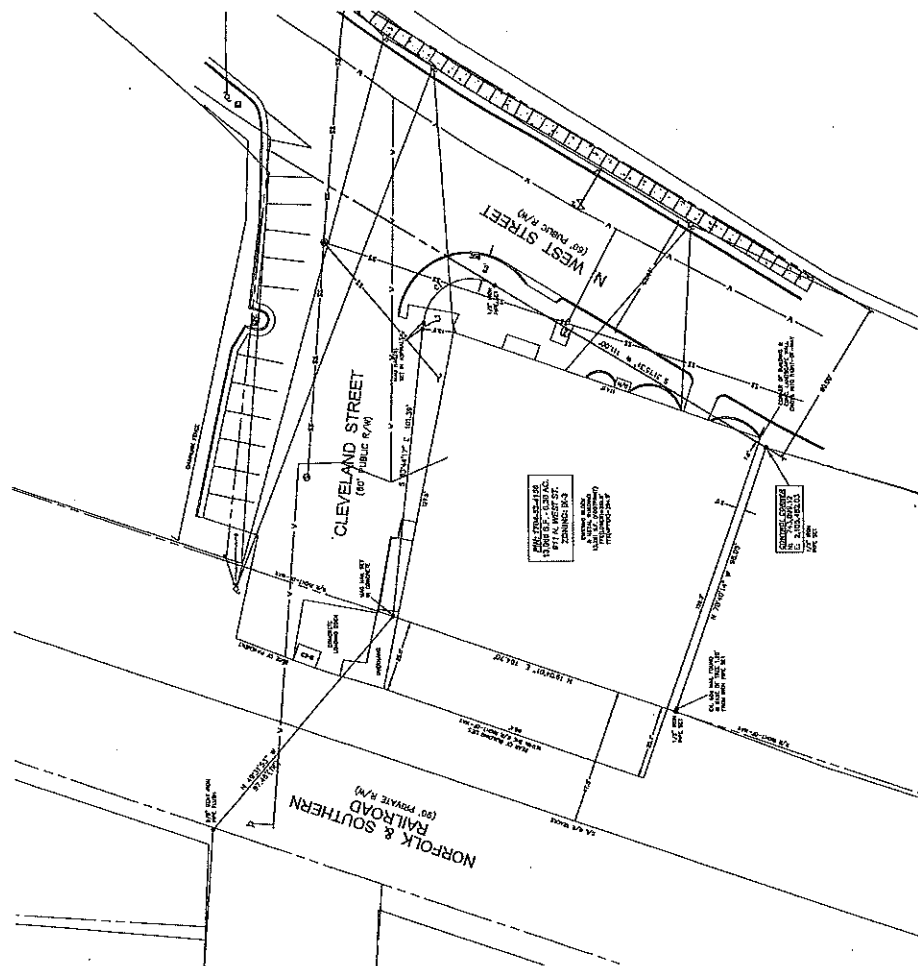
EXISTING CONDITIONS

Project number: C17105 Create:
 Date: 09.29.2017
 Drawn by: CW
 Approved by: JLW

C1.00

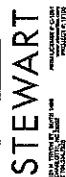
SURVEY LEGEND:

- [illegible]



SURVEY NOTES:

- [illegible]



Project: 9111 N. WEST ST



PRELIMINARY - DO NOT
USE FOR CONSTRUCTION

SITE PLAN

[illegible]

SITE PLAN

Project number: G17405 Client: **C3.00**
 Date: 09.28.2017
 Drawn by: **CT**
 Approved by: **JTW**

SITE LEGEND

PARKING SUMMARY		
PROVIDED PARKING SPACES	REQUIRED	PROTECTED
1	4	10
2	16	16
3	16	16
4	16	16
5	16	16
6	16	16
7	16	16
8	16	16
9	16	16
10	16	16
11	16	16
12	16	16
13	16	16
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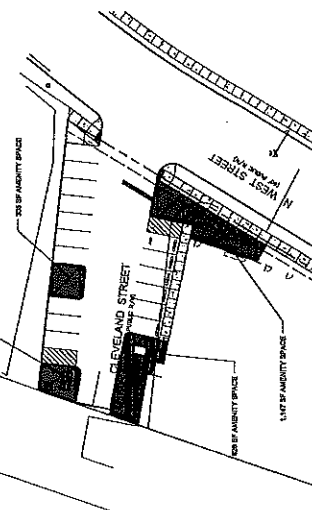
Inventory	1955										1956										1957									
	1955					1956					1957					1958					1959									
	Quarrel	Repaired	Quarrel	Repaired	Quarrel	Repaired	Quarrel	Repaired	Quarrel	Repaired	Quarrel	Repaired	Quarrel	Repaired	Quarrel	Repaired	Quarrel	Repaired	Quarrel	Repaired	Quarrel	Repaired								
11 Shower Head Handling	4	-	2	-	14	-	2	-	4	-	5	-	5	-	5	-	5	-	5	-	5	-								
10 Shower Head Over	17	2	-	-	14	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-								
20 Shower Head Over	3	-	-	-	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-								
21 Shower Head Over	9	-	-	-	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-								
30 Shower Head Over	1	-	-	-	6	1	-	-	6	1	-	-	6	1	-	-	6	1	-	-	6	1								

OUTDOOR AMENITY AREA FOR IX-3

REQUIRED:

Abstract

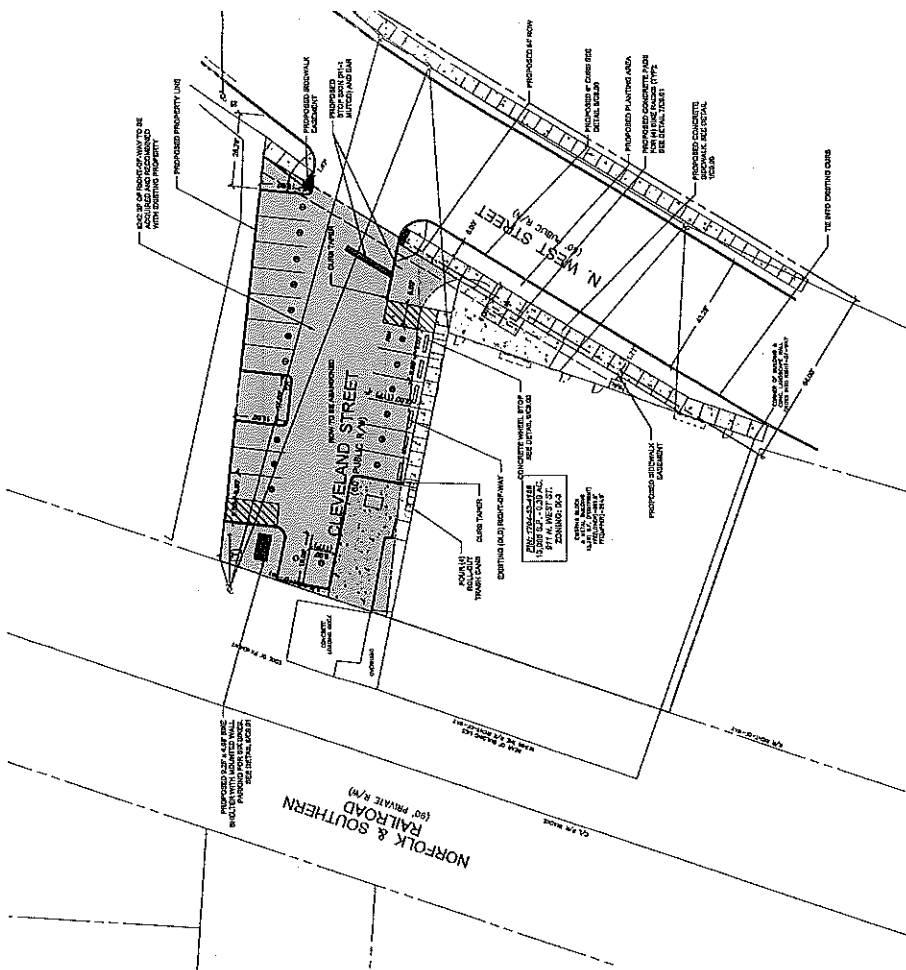
*PER SEC 3.2.5, OUTDOOR AMENITY AREA (MIN.) = 10% OF LOT



COMMUNITY AREA EXHIBIT

**SIGNAGE, STRIPING, AND MARKING NOTES:**

- [illegible]



SITE NOTES:

- [illegible]

GENERAL NOTE:

- [illegible]

1704534156
911 N WEST LLC
PO BOX 33279
RALEIGH NC 27636-3279

1704528222
RALEIGH CITY OF
PO BOX 590
RALEIGH NC 27602-0590

1704532158
ATTRIDE, ROY R
501 CLEVELAND ST
RALEIGH NC 27605

1704534002
POOLE, LELAND WAYNE
901 N WEST ST
RALEIGH NC 27603-1139